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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES DAVID HILL,

Defendant.

NO. 04-CR-40052 JST

**STIPULATION AND ~~PROPOSED~~ ORDER  
REGARDING BRIEFING FOR  
GOVERNMENT'S MOTION TO STAY THE  
PROCEEDINGS REGARDING  
DEFENDANT'S PENDING 2255 PETITION  
FOR WRIT OF HABEAS CORPUS**

On July 6, 2016, the Court issued an Order to meet and confer regarding a briefing schedule in the above-referenced matter. *See* Order, Dkt. # 102. The parties have met and conferred in accordance with the Court's Order. The government intends to file a motion to stay these proceedings in light of the case pending before the Supreme Court, *Beckles v. United States*, No. 15-8544. As such, the parties have discussed and agreed upon a briefing schedule for the proposed motion to stay the proceedings.

The parties hereby stipulate to the following:

1. The Government shall file its motion to stay the proceedings by July 26, 2016.

2. The defendant, Charles David Hill, shall file its opposition to the government's motion to stay by August 2, 2016.

3. Any reply by the government shall be filed on or before August 5, 2016.

Should the Court deny the government's motion to stay the proceedings, the parties will submit a stipulation proposing a briefing schedule regarding the pending 2255 Habeas Petition within ten days of the Court's order denying the motion to stay.

DATED: July 18, 2016

Respectfully submitted,

BRIAN J. STRETCH  
United States Attorney

/s/ Peter Goodman  
PETER GOODMAN  
Attorney for Defendant

/s/ William J. Gullotta  
WILLIAM J. GULLOTTA  
Assistant United States Attorney

~~[PROPOSED]~~ ORDER

With the agreement of the parties, and for the reasons stated in the parties' stipulation, the Court enters this Order. The Court orders, pursuant to the parties' stipulation, the following:

1. The Government shall file its motion to stay the proceedings by July 26, 2016.
2. The defendant, Charles David Hill, shall file its opposition to the government's motion to stay by August 2, 2016.
3. Any reply by the government shall be filed on or before August 5, 2016.

IT IS SO ORDERED.

DATED: July 19, 2016

